

CLOSED,TYPE-I

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:12-cv-01660-RMC**

TRUTHOUT et al v. DEPARTMENT OF JUSTICE  
Assigned to: Judge Rosemary M. Collyer  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/06/2012  
Date Terminated: 07/18/2013  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****TRUTHOUT**

represented by **Kelly Brian McClanahan**  
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**ATTORNEY TO BE NOTICED**

**Plaintiff****JEFFREY LIGHT**

represented by **Kelly Brian McClanahan**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****DEPARTMENT OF JUSTICE**

represented by **William Mark Nebeker**  
U.S. ATTORNEY'S OFFICE  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/06/2012	<u>1</u>	COMPLAINT against DEPARTMENT OF JUSTICE ( Filing fee \$ 350 receipt number 0090-3093516) filed by TRUTHOUT, JEFFREY LIGHT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(McClanahan, Kelly) (Entered: 10/06/2012)
10/06/2012	<u>2</u>	Corporate Disclosure Statement by TRUTHOUT. (McClanahan, Kelly) (Main Document 2 replaced on 10/9/2012) (jf, ). (Entered: 10/06/2012)
10/09/2012	<u>3</u>	ELECTRONIC SUMMONS Issued (3) as to DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Consent Notice)(mmh) (Entered: 10/09/2012)
10/09/2012		Case Assigned to Judge Rosemary M. Collyer. (mmh) (Entered: 10/09/2012)
10/16/2012	<u>4</u>	ERRATA by JEFFREY LIGHT, TRUTHOUT <u>1</u> Complaint filed by TRUTHOUT, JEFFREY LIGHT. (McClanahan, Kelly) (Entered: 10/16/2012)

11/05/2012	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF JUSTICE served on 11/5/2012, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/05/2012., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/5/2012. ( Answer due for ALL FEDERAL DEFENDANTS by 12/5/2012.) (McClanahan, Kelly) (Entered: 11/05/2012)
11/19/2012	<u>6</u>	NOTICE of Appearance by William Mark Nebeker on behalf of DEPARTMENT OF JUSTICE (Nebeker, William) (Entered: 11/19/2012)
12/04/2012	<u>7</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 12/04/2012)
12/05/2012		MINUTE ORDER granting <u>7</u> Consent Motion for Extension of Time to Answer. Defendant shall file an Answer or otherwise respond to <u>1</u> Complaint no later than December 14, 2012. Signed by Judge Rosemary M. Collyer on 12/5/2012. (lcrmc3) (Entered: 12/05/2012)
12/05/2012		Set/Reset Deadlines/Hearings: Answer to complaint due by 12/14/2012. (cdw) (Entered: 12/06/2012)
12/14/2012	<u>8</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Exhibit E-mail Exchange, # <u>2</u> Text of Proposed Order)(Nebeker, William) (Entered: 12/14/2012)
12/14/2012		MINUTE ORDER granting <u>8</u> Defendant's consent Motion for Extension of Time to Answer. Defendant shall Answer by February 1, 2013; Set/Reset Deadlines: Answer due by 2/1/2013. Signed by Judge Rosemary M. Collyer on 12/14/2012. (KD) (Entered: 12/14/2012)
02/01/2013	<u>9</u>	MOTION to Dismiss <i>Or, In The Alternative</i> , MOTION for Summary Judgment by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Declaration David M. Hardy, # <u>2</u> Text of Proposed Order)(Nebeker, William) (Entered: 02/01/2013)
02/01/2013	<u>10</u>	NOTICE of Filing(Exhibits) by DEPARTMENT OF JUSTICE re <u>9</u> MOTION to Dismiss <i>Or, In The Alternative</i> MOTION for Summary Judgment (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U, # <u>22</u> Exhibit V, # <u>23</u> Exhibit W, # <u>24</u> Exhibit X, # <u>25</u> Exhibit Y, # <u>26</u> Exhibit Z, # <u>27</u> Exhibit AA, # <u>28</u> Exhibit BB, # <u>29</u> Exhibit CC, # <u>30</u> Exhibit DD, # <u>31</u> Exhibit EE, # <u>32</u> Exhibit FF, # <u>33</u> Exhibit GG, # <u>34</u> Exhibit HH, # <u>35</u> Exhibit II, # <u>36</u> Exhibit JJ, # <u>37</u> Exhibit KK, # <u>38</u> Exhibit LL, # <u>39</u> Exhibit MM, # <u>40</u> Exhibit NN, # <u>41</u> Exhibit OO, # <u>42</u> Exhibit PP, # <u>43</u> Exhibit QQ, # <u>44</u> Exhibit RR, # <u>45</u> Exhibit SS)(Nebeker, William) (Entered: 02/01/2013)
02/16/2013	<u>11</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>9</u> MOTION to Dismiss <i>Or, In The Alternative</i> MOTION for Summary Judgment by JEFFREY LIGHT, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 02/16/2013)
02/19/2013		MINUTE ORDER granting <u>11</u> Plaintiff's consent Motion for Extension of Time. Plaintiff shall file a response re <u>9</u> MOTION to Dismiss Or, In The Alternative MOTION for Summary Judgment by 3/26/2013. Replies due by 4/24/2013. Signed by Judge Rosemary M. Collyer on 2/19/2013. (KD) (Entered: 02/19/2013)
02/19/2013		Set/Reset Deadlines/Hearings: Response to <u>9</u> due by 3/26/2013. Reply due by 4/24/2013. (cdw) (Entered: 02/19/2013)
03/26/2013	<u>12</u>	MOTION for Extension of Time to File Response/Reply as to <u>9</u> MOTION to Dismiss <i>Or, In The Alternative</i> MOTION for Summary Judgment by JEFFREY LIGHT, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 03/26/2013)

03/26/2013		MINUTE ORDER granting <u>12</u> Motion for Extension of Time to File Response. Plaintiffs may file a response to the pending motion to dismiss no later than April 2, 2013. Reply due April 9, 2013. Signed by Judge Rosemary M. Collyer on 3/26/2013. (lcrmc2) (Entered: 03/26/2013)
03/26/2013		MINUTE ORDER. Pursuant to the prior Scheduling Orders entered in this case, following the granting of <u>12</u> the Second Motion for Extension of Time, the reply to the Motion to Dismiss is now due May 1, 2013. The reference to April 9, 2013, in the prior Minute Order was a scrivener's error. Signed by Judge Rosemary M. Collyer on 3/26/2013. (lcrmc2) (Entered: 03/26/2013)
04/03/2013	<u>13</u>	Memorandum in opposition to re <u>9</u> MOTION to Dismiss <i>Or, In The Alternative</i> MOTION for Summary Judgment filed by JEFFREY LIGHT, TRUTHOUT. (Attachments: # <u>1</u> Exhibit A – Leopold declaration, # <u>2</u> Exhibit B – McClanahan–Nebeker email, # <u>3</u> Exhibit C – ACLU–NC request, # <u>4</u> Exhibit D – ACLU–NC release letter, # <u>5</u> Exhibit E – PCJF request, # <u>6</u> Exhibit F – PCJF release letter, # <u>7</u> Exhibit G – ACLU–PCJF extra release, # <u>8</u> Exhibit H – DHS email, # <u>9</u> Exhibit I – Sample processing notes, # <u>10</u> Exhibit J – ACLU–NC complaint, # <u>11</u> Exhibit K – Nebeker–McClanahan email, # <u>12</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 04/03/2013)
04/03/2013	<u>14</u>	NOTICE OF RELATED CASE by JEFFREY LIGHT, TRUTHOUT. Case related to Case No. 12–3728 (N.D. Cal.). (McClanahan, Kelly) (Entered: 04/03/2013)
04/03/2013	<u>15</u>	MOTION for Extension of Time to File Response/Reply as to <u>9</u> MOTION to Dismiss <i>Or, In The Alternative</i> MOTION for Summary Judgment ( <i>Nunc Pro Tunc</i> ) by JEFFREY LIGHT, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 04/03/2013)
04/03/2013		ORDER granting <u>15</u> Motion for Extension of Time to File Response. Plaintiff's response filed on 4/3/2013 is deemed timely. Signed by Judge Rosemary M. Collyer on 4/3/2013. (KD) (Entered: 04/03/2013)
04/03/2013	<u>16</u>	MOTION for Leave to File EXHIBIT L – Privacy waivers Under seal by JEFFREY LIGHT, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(rdj) (Entered: 04/04/2013)
04/03/2013	<u>17</u>	SEALED EXHIBIT L filed by JEFFREY LIGHT, TRUTHOUT. re <u>16</u> MOTION for Leave to File EXHIBIT L – Privacy waivers Under seal. (This document is SEALED and only available to authorized persons.)(zrdj) Modified on 4/25/2013 pursuant to Order granting, filed on 4/22/13(zrdj). (Entered: 04/04/2013)
04/15/2013	<u>18</u>	RESPONSE re <u>14</u> Notice of Related Case filed by DEPARTMENT OF JUSTICE. (Nebeker, William) (Entered: 04/15/2013)
04/22/2013	<u>19</u>	ORDER granting <u>16</u> Motion for Leave to File EXHIBIT L – Privacy waivers Under seal. Signed by Judge Rosemary M. Collyer on April 22, 2013. (cdw) (Entered: 04/24/2013)
05/01/2013	<u>20</u>	REPLY to opposition to motion re <u>9</u> MOTION to Dismiss <i>Or, In The Alternative</i> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Declaration Hardy Supplemental)(Nebeker, William) (Entered: 05/01/2013)
05/02/2013	<u>21</u>	MOTION for Leave to File <i>/Submit Ex Parte, In Camera Declaration</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Declaration Third Hardy, # <u>2</u> Text of Proposed Order)(Nebeker, William) (Entered: 05/02/2013)
05/21/2013	<u>22</u>	Memorandum in opposition to re <u>21</u> MOTION for Leave to File <i>/Submit Ex Parte, In Camera Declaration</i> filed by JEFFREY LIGHT, TRUTHOUT. (McClanahan, Kelly) (Entered: 05/21/2013)
05/21/2013	<u>23</u>	ERRATA by JEFFREY LIGHT, TRUTHOUT <u>22</u> Memorandum in Opposition filed by TRUTHOUT, JEFFREY LIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 05/21/2013)
05/22/2013	<u>24</u>	REPLY to opposition to motion re <u>21</u> MOTION for Leave to File <i>/Submit Ex Parte, In Camera Declaration</i> filed by DEPARTMENT OF JUSTICE. (Nebeker, William) (Entered: 05/22/2013)

05/22/2013	<u>25</u>	MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION for Leave to File <i>/Submit Ex Parte, In Camera Declaration (Nunc Pro Tunc)</i> by JEFFREY LIGHT, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 05/22/2013)
05/23/2013		MINUTE ORDER granting <u>25</u> Motion for Extension of Time nunc pro tunc to File Response to Defendant's motion for leave to file <u>21</u> . Plaintiff's response <u>22</u> is deemed to have been timely filed. Signed by Judge Rosemary M. Collyer on 5/23/2013. (KD) (Entered: 05/23/2013)
05/23/2013		MINUTE ORDER granting <u>21</u> Defendant's Motion for Leave to Submit an ex parte in camera declaration and memorandum in support. The May 2, 2013 Declarations of Mr. Hardy shall be considered by the Court. No later than June 3, 2013, Defendant shall contact Chambers to effectuate the submission of the ex parte in camera declaration and memorandum. Signed by Judge Rosemary M. Collyer on 5/23/2012. (KD) (Entered: 05/23/2013)
05/23/2013	<u>26</u>	RESPONSE re <u>25</u> MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION for Leave to File <i>/Submit Ex Parte, In Camera Declaration (Nunc Pro Tunc)</i> filed by DEPARTMENT OF JUSTICE. (Nebeker, William) (Entered: 05/23/2013)
07/09/2013	<u>27</u>	NOTICE <i>Of In Camera, Ex Parte Submission</i> by DEPARTMENT OF JUSTICE re <u>9</u> MOTION to Dismiss <i>Or, In The Alternative</i> MOTION for Summary Judgment (Nebeker, William) (Entered: 07/09/2013)
07/17/2013	<u>28</u>	MEMORANDUM AND OPINION. Signed by Judge Rosemary M. Collyer on 7/17/2013. (KD) (Entered: 07/17/2013)
07/17/2013	<u>29</u>	ORDER granting <u>9</u> Defendant's Motion to Dismiss or for Summary Judgment. Judgment is entered in favor of Defendant. This case is closed. Signed by Judge Rosemary M. Collyer on 7/17/13. (KD) (Entered: 07/17/2013)